

8132. Misbranding of Depurativo D. C. U. S. * * * v. 18 Bottles of Depurativo D. C. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11182. I. S. No. 17042-r. S. No. E-1701.)

On September 18, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 bottles of Depurativo D. C., remaining in the original unbroken packages at Ponce, P. R., alleging that the article had been shipped by R. A. Delgado Carbonell, New York, N. Y., and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part "Depurativo D. C. Prepared by R. A. Delgado Carbonell, New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, unidentified plant extractives, alcohol, and water.

It was alleged in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof in that the package or label bore the statement, "Guaranteed by R. A. Delgado Carbonell, under the Food and Drugs Act, June 30th, 1906, No. 50570," which was false and misleading. Misbranding was alleged for the further reason that the package or label of the article failed to bear a statement of the quantity or proportion of alcohol contained therein, whereas analysis showed the product to contain 3.4 per cent by volume of alcohol. It was further alleged in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof in that the following statements were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton, Spanish) "* * * Guaranteed preparation for the treatment of the diseases of the blood and skin. Antirheumatic and Antisyphilitic of rapid and infallible results * * * Depurativo D. C. combats radically ulcers, itching eruptions, scratches, pustules, cracks, syphilitic rheumatism, herpes, tetter, chilblains, and all of the diseases of the blood and skin, * * * the purity of its components is guaranteed, Depurativo D. C. being a scientific preparation and essentially efficient, having been proven to be the best and safest purifier of the blood;" (bottle) "* * * Guaranteed preparation for the treatment of diseases of the blood and skin, antirheumatic and antisyphilitic of rapid and infallible results. * * *;" (booklet) "Depurativo D. C. The most valuable preparation for the true cure of all diseases of the skin and blood. * * * Either cure yourself positively of every disease you have in your skin or blood, or help a friend or acquaintance to cure himself. Guaranteed for the treatment of syphilitic diseases, ulcers, herpes, bubo, rheumatism, erysipelas, debility and impoverishment of the blood. * * * Depurativo D. C. is positively infallible in treating all diseases of the skin and blood. We can do no less than feel the greatest satisfaction when thanks to Depurativo D. C. an infinite number of people today enjoy the most perfect health who used to live under the terrible suffering of syphilitic rheumatism and other troubles which made it impossible for them to attend to their work and duties. When we present our product to the consuming public we do it knowing its efficacy during more than twenty years of trials and results which are truly marvelous. We can state definitely that D. C. Depurativo is a true destroyer of syphilis whatever may be its form or state * * * and we desire that the public be convinced by its own judgment and its own experiences that D. C. Depurativo is positively infallible in the treatment of syphilis and in all diseases of the skin and blood. In cases of syphilis we recommend an uninterrupted treatment and a more prolonged one than other cases. Guaranty of purity registered in con-

formity with the laws of the U. S. Depurativo D. C. is the most powerful and efficacious blood purifier. Depurativo D. C. is recommended if only because its curative effects are so rapid that they are noticed by the patient on the third day. If you feel in your body any pains, spots, ulcers, eruptions, etc., try a single bottle of D. C. Depurativo and we guarantee that you will be cured."

On November 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S133. Misbranding of Methyloids. U. S. * * * v. 23 Dozen Bottles of Methyloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11250. I. S. No. 17057-r. S. No. E-1722.)

On September 26, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 dozen bottles of Methyloids, remaining in the original unbroken packages at San Juan, P. R., alleging that said article had been offered for sale and sold at said San Juan, on or about August 25, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Methyloids * * * Frederick Stearns & Co. Detroit, Michigan, U. S. A. Windsor, Ont. London, Eng. New York City."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of capsules containing essentially a mixture of methylene blue, oils of santal and cinnamon, a fixed oil, and combined sulphur.

It was alleged in substance in the libel that the article was misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that certain statements regarding the curative or therapeutic effect thereof, on the bottle labels and cartons, and in the circular accompanying the article, falsely and fraudulently represented it to be a successful treatment of gonorrhœa, and a treatment for gonorrhœa, its complications, and all cases where a urinary antiseptic is indicated, and for blennorrhœa and as a urinary antiseptic, when, in truth and in fact, it was not.

On November 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S134. Misbranding of Pabst's Okay Specific. U. S. * * * v. 12 Dozen Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11280. I. S. No. 17075-r. S. No. E-1734.)

On October 14, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of Pabst's Okay Specific, remaining in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped on or about August 30, 1919, by the Pabst Chemical Co., Chicago, Ill., and transported from the State of Illinois into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of cubebs, copaiba, unidentified plant extractives, oil of peppermint, sugar, alcohol, and water.